

AN ACT

ENTITLED, An Act to increase the amount of money or damage that is under the jurisdiction of small claims court and to clarify that a party may be represented by an attorney in small claims or magistrate court.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 16-12A-19 be amended to read as follows:

16-12A-19. A magistrate court shall have concurrent jurisdiction with the circuit courts, in noncontested civil actions or noncontested small claims proceedings where the amount of money or damage does not exceed eight thousand dollars, to take the necessary evidence and enter a judgment. The effective date of the increase in the jurisdiction of magistrate court in small claims proceedings is July 1, 1997, in the Sixth Judicial Circuit, and July 1, 1998, in the remaining judicial circuits of this state.

Section 2. That § 16-12A-24 be amended to read as follows:

16-12A-24. Any magistrate court with a magistrate judge presiding has concurrent jurisdiction with the circuit courts to try and determine all civil actions if the debt, damage, claim, or value of the property involved does not exceed ten thousand dollars. Any magistrate court with a magistrate judge presiding has jurisdiction in small claims proceedings if the debt, damage, claim, or value of the property involved does not exceed eight thousand dollars. The effective date of the increase in the jurisdiction of magistrate court in small claims proceedings is July 1, 1997, in the Sixth Judicial Circuit, and July 1, 1998, in the remaining judicial circuits of this state.

Section 3. A party may not be deprived of the assistance of an attorney, at the party's expense, in small claims or magistrate court.

An Act to increase the amount of money or damage that is under the jurisdiction of small claims court and to clarify that a party may be represented by an attorney in small claims or magistrate court.

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I certify that the attached Act
originated in the

SENATE as Bill No. 187

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 187
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

19__ at ____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 19__

Governor
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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 19__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State